

CHAPTER 168
ADDITIONAL PROGRAM REQUIREMENTS

[Prior to 9/6/00, see 261—Ch 80]

DIVISION I
COMPREHENSIVE COMMUNITY AND ECONOMIC DEVELOPMENT PLANS

261—168.1(15) Supplementary credit. The department shall award supplementary credit to applications submitted by cities, counties, local and regional government organizations, and local and regional economic development organizations that have developed a comprehensive community and economic development plan.

261—168.2(15) Technical assistance. Subject to the availability of funds for this purpose, the department may provide financial assistance to cities, counties, local and regional government organizations, and local and regional economic development organizations for the purpose of developing comprehensive community and economic development plans.

These rules are intended to implement Iowa Code chapter 15.

261—168.3 to 168.85 Reserved.

DIVISION II
ENVIRONMENTAL CRITERIA

261—168.86(15A) Environmental report. Any individual or business applying for assistance through the department of economic development shall report on the application for assistance any cited violation of federal or state environmental statutes, regulations or rules within the past five years and detail the circumstances of the violation(s). If the individual or business fails to report violations and the department discovers such violations, the application for assistance shall be declared ineligible to receive assistance until such time as the report is submitted.

261—168.87(15A) Ineligibility for assistance. Any individual or business which has been referred by the department of natural resources to the attorney general for environmental violations shall be ineligible to receive assistance from the department until such time as the violations have been determined to be corrected.

261—168.88(15A) In-house audit. If the individual or business generates solid or hazardous waste, that individual or business shall be required to conduct an in-house audit and have management plans to reduce the amount of waste and to safely dispose of the waste.

168.88(1) If the individual or business has conducted an in-house audit and developed a management plan within the last three years, submission of a copy of the audit and management plan will fulfill this requirement.

168.88(2) If the individual or business has not conducted an audit within the past three years, the individual or business must initiate the audit prior to the disbursement of financial assistance and submit a copy of the completed audit within 90 days of disbursement of the financial assistance.

261—168.89(15A) External audit. In lieu of an in-house audit, the individual or business may elect to authorize the department of natural resources or the Iowa waste reduction center established under Iowa Code section 268.4 to conduct the audit. A copy of the authorization for the department of natural resources or the Iowa waste reduction center to conduct the audit shall be submitted to the department prior to the disbursement of financial assistance.

261—168.90(15A) Submission of audit. The individual or business must submit a copy of the completed audit conducted by the department of natural resources or the Iowa waste reduction center within 30 days of receipt.

261—168.91(15A) Annual report. Individuals or businesses receiving assistance from the department shall be required to report annually, according to individual program reporting requirements, progress on energy efficiency and waste reduction, until all conditions of the financial assistance have been satisfied.

These rules are intended to implement Iowa Code section 15A.1(3).

261—168.92 to 168.100 Reserved.

DIVISION III
BROWNFIELD AREAS, BLIGHTED AREAS AND DISTRESSED AREAS

261—168.101(79GA,SF81) Purpose. The department will give additional consideration or additional points in the application of rating or evaluation criteria in providing a grant, loan, or other financial assistance for economic development-related purposes provided the person, or a business for whose benefit the financial assistance is to be provided, meets the criteria outlined in rule 261—168.102(79GA,SF81).

261—168.102(79GA,SF81) Criteria. To be eligible to receive the extra credit points, the person or business shall be located in an area that meets one of the following criteria:

1. The area is a brownfield site as defined in Iowa Code section 15.291.
2. The area is a blighted area as defined in Iowa code section 403.17.
3. The area is located in a city or county that meets the distress criteria provided under the enterprise zone program in Iowa Code section 15E.194, subsection 1 or 2.

261—168.103(79GA,SF81) Supplementary credit. Unless prohibited by state or federal law or rule, department programs using a point system will provide supplementary credit of up to a maximum of ten points for applicants meeting the requirements of this division.

These rules are intended to implement Iowa Code section 15A.1 as amended by 2001 Iowa Acts, Senate File 81.

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